

INTERNATIONAL SEARCH REPORT

International application No.
PCT/AU03/00400

A. CLASSIFICATION OF SUBJECT MATTER		
Int. Cl. ⁷ : A61B 17/00, A61F 2/26		
According to International Patent Classification (IPC) or to both national classification and IPC		
B. FIELDS SEARCHED		
Minimum documentation searched (classification system followed by classification symbols)		
Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched		
Electronic data base consulted during the international search (name of data base and, where practicable, search terms used) DWPI, PubMed keywords: phallus, penis, penile, lengthen, widen, enlarge, augmentation, phalloplasty, ligament, corpus, cavernosum, penoplasty, micropenis, treatment, exercise, dressing, bath, sterile, wrap, regime, fundiform and similar terms		
C. DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X, Y	ALTER G. "Girth Enlargement" (online) (retrieved 14 May 2003), earliest known publication date (via <URL:http://www.archive.org>) is 5 May 1998 Retrieved from the Internet <URL:http://www.altermd.com/penhancement/girth.htm> See the whole document.	1 - 3
Y		15 - 25
X		28 - 32, 35
X, Y	"Penis Lengthening Surgery - Questions and Answers" (online) (retrieved 14 May 2003), earliest known publication date (via <URL:http://www.archive.org>) is 30 January 1997 Retrieved from the Internet <URL:http://www.psurg.com/PL4QA.htm> See the whole document.	1 - 3
Y		15 - 25
X		28 - 32, 35
<input checked="" type="checkbox"/> Further documents are listed in the continuation of Box C <input checked="" type="checkbox"/> See patent family annex		
<p>* Special categories of cited documents:</p> <p>"A" Document defining the general state of the art which is not considered to be of particular relevance</p> <p>"E" earlier application or patent but published on or after the international filing date</p> <p>"L" Document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)</p> <p>"O" Document referring to an oral disclosure, use, exhibition or other means</p> <p>"P" Document published prior to the international filing date but later than the priority date claimed</p> <p>"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention</p> <p>"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone</p> <p>"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art</p> <p>"&" document member of the same patent family</p>		
Date of the actual completion of the international search 1 July 2003		Date of mailing of the international search report 07 JUL 2003
Name and mailing address of the ISA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929		Authorized officer VINCE BAGUSAUSKAS Telephone No : (02) 6283 2110

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C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X, Y	JAMES D. "The Perfect Penis in about an Hour" (online) (retrieved 14 May 2003), earliest known publication date (via <URL:http://www.archive.org>) is 3 March 2001	1 - 3
Y	Retrieved from the Internet <URL:http://www.psurg.com/humber99.html> See the whole document.	15 - 25
X		28 - 35
X, Y	AU 53864/98 (742359) B (MOORE) 3 January 2002	1 - 3
Y	See the claims	26
X		9, 10, 13
L	The instant application claims an earlier priority from this document. However this citation claims an earlier priority from another application by the same applicant, indicating that the application from which priority is claimed may not be the first application for the invention concerned. It casts doubt that claim 15 in this instance is able to claim a priority from 3 April 2002 in this instance.	
X	ALTER G.J. "Penile Enlargement Surgery". Techniques in Urology, 1998, Vol 4, No. 2, pp. 70-76 See page 71 col 1; page 72 col 2; page 74 col 1; page 75 col 2	1 - 3, 28 - 35
X	ALTER G.J. "Augmentation Phalloplasty". Urologic clinics of North America, 1995, Vol 22, No. 4, pp887- 902 See page 890 col 1; page 895 col 2; page 896 col 1; Fig 9; page 898 col 1; page 901 col 1	1 - 3, 28 - 35
X	LUE T F. and EL-SAKKA A.I. "Lengthening Shortened Penis Caused by Peyronie's Disease Using Circular Venous Grafting and Daily Stretching with a Vacuum Erection Device". Journal of Urology, April 1999, Vol 161, pp 1141 - 1144 See page 1141 col 1; page 1142 col 1; page 1143 col 1; page 1144 col 1.	15, 16, 17, 25, 28 - 35
X	AUSTONI E. and GUARNERI A. and CAZZANIGA A. "A New Technique for Augmentation Phalloplasty: Albugineal Surgery with Bilateral Saphenous Graft -Three Years of Experience". European Urology, 2002 Vol 42, pp 245 - 253 See page 249 col 1	28 - 32, 35
L	Some of the claims do not appear to be entitled to the priority date of the instant application. This citation was published before the filing date.	
X	AUSTONI E. and GUARNERI A. and GATTI G. "Penile elongation and thickening - myth? Is there a cosmetic or medical indication?", Andrologia, 1999, 31 (Suppl, 1) pp 45 - 51 See page 47; page 50 col 1	28 - 34
X	SHIRONG L. and XUAN Z. and ZHENGXIANG W. and DONGLI F. and JULONG W. and DONGYUN Y. "Modified Penis Lengthening Surgery: Review of 52 Cases", Plastic and Reconstructive Surgery, February 2000, pp 596 - 599 See page 599	29 - 32, 35

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C (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X, Y P, Y L	AU 79900/98 (760083) B (MOORE) 8 May 2003 See the claims This citation gains its priority from 13 August 1997. It is an earlier patent by the same applicant, indicating that the application from which priority is claimed may not be the first application for the invention concerned. It casts doubt that claim 15 in this instance is able to claim a priority from 3 April 2002 in the instant application.	15 - 25, 27 26
Y	RIGAUD G. and BERGER R.E. "Corrective Procedures for Penile Shortening due to Peyronies's Disease", The Journal of Urology, February 1995, Vol 153, pp368 - 370 See page 369 col 1	15 - 18

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PCT/AU03/00400**Box I** Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos :
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos :
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos :
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box II Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

See the Supplemental Sheet

1. ☒ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☒ No protest accompanied the payment of additional search fees.

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Supplemental Box

(To be used when the space in any of Boxes I to VIII is not sufficient)

Continuation of Box No: II

The international application does not comply with the requirements of unity of invention because it does not relate to one invention or to a group of inventions so linked as to form a single general inventive concept. In coming to this conclusion the International Searching Authority has found that there are different inventions as follows:

1. Claims 1 to 3, 9, 10, 13 at least are directed to a method of widening a penis. It is considered that the use of a dermal graft sutured to the exposed Bucks fascia and then reducing the penile skin comprises a first "special technical feature".
2. Claims 4 to 8, 12 at least are directed to a method of lengthening the penis. It is considered that dividing the suspensory ligament against the body of the symphysis pubis down to the inferior pubic arch and along the inferior surface of both the right and left conjoined inferior pubic rami comprises a second "special technical feature".
3. Claims 15 to 20, 27 at least are directed to a method of enhancement phalloplasty. It is considered that freeing the dorsal neurovascular bundle and separating the corpus spongiosum from the inferior surface of both said first and said second corpus cavernosum comprises a third "special technical feature."
4. Claims 28 to 33 are directed to a method of penile enlargement. It is considered that the post operative treatment regime following penile enlargement, whether exercise, drug or other, comprises a fourth "special technical feature".

The feature common to all of the claims is the use of a post operative treatment regime. However this common feature is generic in the art: see for example a partially completed search has found the following Internet documents;

<http://www.altermd.com/penhancement/girth.htm> published 5 May 1998

<http://www.psurg.com/PL4QA.htm> published 30 January 1997

<http://www.psurg.com/humber99.html> published 3 March 2001

Consequently the common feature does not constitute "a special technical feature" within the meaning of PCT Rule 13.2, second sentence, since it makes no contribution over the prior art. Since there exists no other common feature which can be considered as a special technical feature within the meaning of PCT Rule 13.2, second sentence, no technical relationship within the meaning of PCT Rule 13 between the different inventions can be seen. Consequently it appears that a posteriori, the claims do not satisfy the requirement of unity of invention.

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Information on patent family members

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This Annex lists the known "A" publication level patent family members relating to the patent documents cited in the above-mentioned international search report. The Australian Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

Patent Document Cited in Search Report		Patent Family Member
AU	79900/98	NONE
AU	54864/98	NONE
END OF ANNEX		